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Very truly yours,

BOB SCHAFFER,
Member of Congress from Colorado.

A TRIBUTE TO AMBASSADOR
NECDET KENT OF TURKEY, HOL-
OCAUST HERO

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 26, 2002

Mr. LANTOS. Mr. Speaker, it is with deep sorrow that I rise today, after learning of the passing of Ambassador Necdet Kent on Friday, September 20, at the age of 91. Ambassador Kent was a Turkish diplomat who served with distinction at many posts. Between 1941 and 1944, he was posted as deputy consul in the Turkish Consulate-General in Marseilles, France. He used that position to bestow Turkish citizenship on—and thereby save—dozens of Turkish Jews who were resident in France and otherwise lacked proper identity papers to prevent their deportation to Nazi gas chambers. Most of those Jews had left Turkey years earlier with no intention of returning but technically had remained Turkish citizens. Necdet Kent exploited their all-but-lapsed Turkish citizenship to stay their execution and spare their lives.

On one occasion, Kent boarded a train bound for Auschwitz after Nazi guards refused to honor his demand to allow all its passengers—some 70 Turkish Jews—to disembark. At subsequent stops, Nazi officials tried to persuade Kent to leave the train, assuring him that its passengers were not real Turks but merely Jews. Kent made clear that he and his nation made no such distinction, and he steadfastly refused to disembark without his fellow citizens. Finally, after an hour of effort to dissuade Kent from his course, the Nazi guards gave up. Apparently cautious not to create an international incident in this instance, the Nazis allowed the stunned Jews to leave the train with Kent and with their lives.

Mr. Speaker, Ambassador Kent had an uncommon love of humanity and an even more rare combination of moral and physical courage that saved many Jewish lives during the Holocaust. As a Holocaust survivor who was saved by the great Swedish diplomat Raoul Wallenberg, I am constantly mindful that I owe my life to that rare breed of humanity to which Necdet Kent belonged.

Although I never had the pleasure of meeting Ambassador Kent, I know from reading his words and seeing him in a documentary released last year that he was a very modest man—excessively so, in my opinion, since his modesty long precluded him from winning the widespread accolades that he so richly deserved. Necdet Kent was so special that he seemed unable to recognize his own extraordinary character. I recall his simple reply when asked how he summoned the courage to defy the Gestapo and board that Nazi cattle car with the 70 Turkish Jews, knowing that he could have been riding to his death. “I’m a human being,” he said. “I couldn’t do anything else.” If only that statement were as true as it is humble, far more diplomats would have had the courage to behave similarly, and countless

more lives could have been saved. Happily, towards the end of his life, Ambassador Kent received far more of the tributes and praise he earned, thanks mainly to the aforementioned documentary, called “Desperate Hours.”

Mr. Speaker, Ambassador Kent leaves this world with the admiration and gratitude of humanitarians, and particularly Jews, everywhere. I avail myself of this opportunity and urge all of my colleagues to join me in expressing deep condolences to the Turkish nation, to Ambassador Kent’s family, and to the wider human family to which he belonged, on the loss of one of its noblest representatives—a man who, as a mere deputy consul, truly granted “visas for life.”

SUMMARY OF DRAFT NUCLEAR
WORKERS COMPENSATION IM-
PROVEMENT AMENDMENTS

HON. TED STRICKLAND

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 26, 2002

Mr. STRICKLAND. Mr. Speaker, I include the following for the RECORD.

TITLE I—WORKER COMPENSATION BENEFITS FOR DEPARTMENT OF ENERGY CONTRACTOR EMPLOYEES EXPOSED TO TOXIC SUBSTANCES

Overview: Title I revises EEOICPA Subtitle D (as currently enacted) to designate the Department of Labor (DOL) as the “willing payor” for disability claims for occupational illnesses arising out of employment at DOE facilities, instead of having the Department of Energy “assist” claimants with state worker compensation claims. DOL would evaluate disability and adjust payments accordingly. Without a uniform process to pay meritorious claims, it is possible that nearly half of the claims will have no “willing payor.” Payment would match FECA levels of benefits, and use the same administrative processes now used by the DOL for radiation, beryllium and silica claims. Payments come from EEOICPA Fund as direct spending. Eliminates MOAs with states.

Section 3662—DOE Physician’s Panels (appointed by HHS) will determine causation, based on DOE’s Final Rule issued August 14, 2002. Authorizes DOE to send meritorious claims for payment to the DOL, instead of “assisting” claimants with state worker compensation systems. Authorizes the DOE to provide medical tests and exposure assessments required by Physicians Panel, and requires outreach. Retains the portions of DOE’s final rule that will continue to apply to these amendments. DOE will adjudicate disputes of adverse Physician Panel findings.

Section 3663—Authorizes DOL to administer payment of disability and medical benefits that have been approved by DOE’s Physicians Panel. Claims administered using the FECA to set level of benefits for partial and total disability, plus medical and survivor benefits. Benefits paid from EEOICPA Fund as direct spending. DOL will adjudicate disputes over amount of payments and degree of disability, but not disputes over causation. DOL to expand list of organs or physiological systems covered in its existing FECA rules to address the DOE claims.

Section 3664—Claims administered through a non-adversarial system and no statutes of limitations (same as Subtitle B claims).

Section 3665—DOL will reduce payments by the amounts that are being paid in a state worker comp proceeding.

Section 3666—DOL cannot recover costs from a contractor, state or insurer for benefits provided in this Title.

Section 3667—Benefits are tax exempt and cannot be offset against certain other federal programs, such as housing and transitional assistance payments.

Section 3668—Benefits cannot be offset from private insurance policies.

Section 3669—Convicted felons forfeiture of benefits.

Section 3670—This will be an exclusive remedy against the U.S. government or a contractor acting in its capacity as an employer, except for intentional torts or state worker comp.

Section 3671—For claimants who have received \$150,000 lump sum for an illness, and is disabled and wants to file under Subtitle D, they can receive wage replacement benefits reduced by the \$150,000 lump sum. This would form a wrap around payment. However, claimants cannot collect two sets of benefits for the same illness.

Section 3672—Compensation and claims for compensation are exempt from claims of creditors.

TITLE II—AMENDMENTS RELATING TO
SUBTITLE B OF THE EEOICPA (RADI-
ATION, BERYLLIUM, SILICA)

Overview: This section adds two illnesses related to uranium and beryllium, provides a means for incorporating latest science for listing radiogenic cancers, provides for an ombudsman to assist claimants, authorizes expanded dates of coverage for beryllium and atomic weapons vendors where there is significant residual contamination and NIOSH has issued recommended dates of coverage, sets forth time limits on dose reconstruction and Special Exposure Cohort petitions, and makes some improvements to the NIOSH IREP Model.

Section 201—Adds chronic renal disease as a covered illness eligible for lump sum payments for workers employed for at least 1 year at a covered uranium facility. DOE will define what are “covered” facilities based on whether the facility processed, machined, forged or enriched uranium for the DOE. RECA Amendments of 2002 currently provides a lump sum benefit for uranium millers and transporters, and this would provide parity.

Section 202—Adds lung cancer to the list of covered beryllium diseases. If the lung cancer arose 5 years after first exposure to beryllium in the course of employment at a covered facility, claimant would be eligible for lump sum payment. Beryllium is classified as a known human carcinogen with respect to lung cancer.

Section 203—Sets 150 day deadline for NIOSH to complete dose reconstruction, and 180 day deadline for NIOSH to responding to Special Exposure Cohort petitions. Petitions are granted if NIOSH fails to act within 180 day time frame.

Section 204—Removes consideration of smoking in the NIOSH Compensation model, and requires NIOSH to adjust its compensation model to provide claimants with the benefit of the doubt where there is reasonable scientific evidence to justify compensation. Where there is scientific uncertainty, model is now neutral.

Section 205—Authorizes NIOSH to recommend to Congress additional radiogenic cancers for the Special Exposure Cohort. Provides for public review and comment.

Section 206—Authorizes expanded dates of coverage for beryllium vendors and atomic weapons employer facilities based on the findings of the NIOSH Report to Congress required in the FY 02 Defense Authorization Act. NIOSH is to assess whether the presence of residual contamination from DOE funded